

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

June 28, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASUnited States of America
v.BY: Crystal Dunford
DEPUTY

Case No. SA:22-MJ-00965

DAVID TORRES-SANCHEZ*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 27, 2022 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*


21 USC § 841(a)(1) & (b)(1)(A)

Possession with Intent to Distribute 500 grams or more of a mixture or substance containing
Methamphetamine

18 USC § 922(g)(5)

Illegal Alien in Possession of a Firearm

PENALTIES:

10 years to life imprisonment, \$10 million fine, 5 years to life supervised release, and \$100
mandatory special assessment.Up to 10 Years Imprisonment, \$250,000 Fine, 3 years supervised release, and \$100 mandatory
special assessment. 

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.*Complainant's signature*Bryan Smith, DEA TFO*Printed name and title*☐ Sworn to before me and signed in my presence.☒ Sworn to telephonically and signed electronically.Date: June 28, 2022*Judge's signature*City and state: San Antonio, TexasELIZABETH S. CHESTNEY, US MAGISTRATE JUDGE*Printed name and title*

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

1. I, Affiant, Bryan Smith, am a Task Force Officer with the Drug Enforcement Administration (DEA) at the San Antonio District Office and have been so since 2012. I have been employed with the Bexar County Sheriff's Office since February 2003. In 2010, I was assigned to the Bexar County Narcotics Unit and in 2012 to the present, I have been assigned to the DEA San Antonio District Office as a Task Force Officer. I am a Bexar County Deputy Sheriff who has been deputized by the Drug Enforcement Administration as Task Force Officer which allows me to enforce state and federal laws primarily pertaining to narcotics related investigations and/or violations. I have made numerous State and federal arrests for narcotics related violations which have resulted in successful prosecutions.

2. I have worked on numerous investigations and assisted other federal, state, and local law enforcement agents and officers in their investigations on cases involving violations of Title 21, United States Code, Section 841(a)(1), the manufacture of, distribution of and possession with intent to distribute controlled substances and Title 21, United States Code, Section 846, conspiracy to commit the foregoing. Specifically, those investigations have focused on the manufacture and distribution of marijuana, methamphetamine, heroin, pharmaceutical pills, and cocaine. I am familiar with, and have participated in, all of the conventional investigative methods, including, but not limited to, electronic surveillance, visual surveillance, questioning of witnesses, search warrants, confidential informants, pen registers, trap and trace, and the use of undercover agents. Through my training and experience, I have become acquainted with the identification of various controlled substances. I have also become acquainted with the various methods used by individuals to possess, transport, and sell controlled substances in violation of federal law.

3. During the course of being a Narcotics Investigator and DEA Task Force Officer, I have participated in numerous investigations of illicit drug trafficking organizations. These investigations involved the use of confidential informants, wire and physical surveillance, telephone toll analysis, investigative interviews, and the service of search and arrest warrants. These investigations included the unlawful importation, possession with intent to distribute, and distribution of controlled substances, as well as the related laundering of monetary instruments, the conducting of monetary transactions involving the proceeds of specified unlawful activities, and conspiracies associated with criminal narcotics offenses, in violation of Title 21, United States Code, §§ 841(a)(1) and 846.

FACTS OF ARREST:

4. On June 27, 2022, Bexar County Sheriff Deputy Andrew Delgado was patrolling the area of IH37 South and Hwy 181, San Antonio, Texas while in full uniform and operating a marked Bexar County Sheriff patrol unit. Deputy Delgado initiated a traffic stop on the driver of a black Volkswagen sedan in the area of IH37 South and Southton Rd for traffic violations. Deputy Delgado made contact with the driver and only occupant identified as David TORRES-

SANCHEZ. During the course of the traffic stop, Deputy Delgado conducted the road side interview with TORRES-SANCHEZ in Spanish as a body worn camera video recorded. As the interview ensued, Deputy Delgado received consent to search the vehicle from TORRES-SANCHEZ. While searching the Volkswagen sedan, an open Amazon package was located on the front passenger seat. Deputy Delgado felt the open Amazon package to be “crunchy” and smelt an odor of chemicals and/or gasoline. Upon further inspection of the packaging, Deputy Delgado recovered two (2) clear plastic Ziploc bags each containing crystal methamphetamine from inside the Amazon package. Deputy Delgado took TORRES-SANCHEZ into custody at that time and placed TORRES-SANCHEZ in the back seat of the patrol unit. The crystal methamphetamine had a gross approximate weight of 1.5 kilograms.

5. Due to the amount of narcotics recovered, TFO Bryan Smith was dispatched to the location of the traffic stop. TFO Smith made contact with Deputy Delgado and received the details of the traffic stop/arrest. TFO Smith directed Deputy Delgado to Mirandize TORRES-SANCHEZ in Spanish. TORRES-SANCHEZ stated he understood his rights and TFO Smith conducted an interview with TORRES-SANCHEZ as Deputy Delgado translated. During the course of the post Miranda interview, TORRES-SANCHEZ stated that he had two (2) firearms at his residence. TFO Smith requested permission from TORRES-SANCHEZ to recover the firearms from the residence. TORRES-SANCHEZ agreed and provided written and verbal consent to search his residence located in the 600 block of Mauerman Rd, San Antonio, Texas.

6. TORRES-SANCHEZ was transported to his residence where the consensual search was conducted. During the search, TORRES-SANCHEZ pointed out two (2) firearms that were recovered inside a plastic bin located in the closet attached to the kitchen. The firearms are described as (1) Taurus, Model PT 24/7 Pro, .40 caliber, semi-automatic pistol bearing serial# SAV22659 with a loaded magazine and (2) Taurus, Model PT100 AF, .40 caliber, semi-automatic pistol bearing serial# SAM90607 with a loaded magazine.

7. TORRES-SANCHEZ was asked if there was any additional narcotics, firearms, or bulk drug proceeds at the residence. TORRES-SANCHEZ led TFO Smith to a refrigerator in the backyard of the residence. Upon opening the freezer section of the refrigerator, TFO Smith observed numerous open/torn gallon sized plastic Ziploc bags with a strong odor of chemicals emitting from them. TFO Smith recognized the odor to be that which is consistent with methamphetamine. On the door of the freezer, TFO Smith recovered a clear Ziploc bag that contained approximately 77.3 grams of crystal methamphetamine.

8. As the consensual search continued, TORRES-SANCHEZ led TFO Smith to the front left bedroom which TORRES-SANCHEZ stated belonged to him. TORRES-SANCHEZ pointed out a rectangular box that was on top of a shelf inside the bedroom closet. Upon opening the rectangular box, TFO Smith recovered a clear gallon sized Ziploc bag containing approximately 302.9 grams of cocaine.

9. At the conclusion of the consensual search, TORRES-SANCHEZ was transported to the Bexar County Jail for processing, pending transfer to a federal holding facility. According to TORRES-SANCHEZ he is in the United States illegally and is a citizen of Mexico.

10. The alleged crystal methamphetamine field tested positive for methamphetamine and the alleged cocaine field tested positive for cocaine.

11. During the inspection of both recovered firearms, each are marked by the manufacturer (Taurus) as being manufactured outside the State of Texas which would indicate that both firearms traveled through interstate commerce prior to TORRES-SANCHEZ' possession.

12. The narcotics and firearm related offenses that TORRES-SANCHEZ is charged with occurred in the Western District of Texas.



BRYAN SMITH, TFO
DEA

Sworn to telephonically and signed electronically on June 28, 2022.



ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE